

**SEPTEMBER 24, 2019 MINUTES
REGULAR WHEATLAND CITY COUNCIL MEETING
WHEATLAND COMMUNITY CENTER
101 C STREET, WHEATLAND, CA
6:30–7:45 P.M.**

COUNCIL MEMBERS PRESENT: R. Coe, J. Henderson, *L. McIntosh, J. Pendergraph
R. West
*Council Member L. McIntosh arrived for the meeting at 6:40 p.m.

OTHERS PRESENT J. Goodwin, City Manager
J. Buckman, City Attorney
T. Raney, Community Development Director
D. Schilling, City Engineer
A. Wightman, Police Chief
A. Paquette, Fire Chief
S. Riley, Deputy City Clerk

PLEDGE OF ALLEGIANCE:

Vice Mayor R. West led the pledge of allegiance.

PUBLIC COMMENT

1) Pam Walsh commented on someone taking notes at meetings and not having access to the minutes of the last City Council meeting, the 2019 Mayor's Update regarding transparency and accountability, the No Thru street sign on the corner of Main and E Streets, Wheatland Road paving, traffic cones on Main Street and opening the entrance to Bishop Pumpkin Farm on Main Street open prior to the season; signs on peak weekends, street sweeping has not occurred and speeding on Main Street. Walsh requested all items mentioned be brought to a City Council meeting for discussion.

2) Pamela Shelton commented on minutes of the council meeting not being completed in a timely manner, Bishop Pumpkin Farm impacts related to health and safety, traffic, speeding, inadequate signs, vehicle transmission, engineer information for a one way in and one way out sign, dust, monitor equipment on Main Street to indicate what the speed limit is, stop sign at the end of the 'S' curve, an alteration to the end of Main Street, CEQA study, land use for the Pumpkin Farm is a public nuisance according to code enforcement and rerouting delivery trucks. Shelton requested all items mentioned be brought to a City Council meeting for discussion. Shelton also questioned the process of how residents are supposed to know if an item will be scheduled on a meeting agenda.

3) Ed Shelton commented on traffic, thanked the City for police presence and moving signs, still concerned with season traffic and additional traffic for the race and wine event over the opening day weekend. Shelton requested all items mentioned be brought to a City Council meeting for discussion.

4) Chris Walsh commented on the 'moral compass' of the City, the Pumpkin Farm violates the City and State's public nuisance, law suits are on the way, liability brought up by 'Cupidity Drive', class action and public nuisance state laws, the City has not done due diligence in studying the project, dust abatement, paving on the entrance to the farm, the number of cars going down Main Street, the thru sign, the 'streets' department, discussion of an island for hangover traffic, no meeting scheduled until November, differences between the City Council and the City Manager.

CONSENT CALENDAR

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. West to **designate Jim Goodwin, City Manager and Tim Raney, Community Development Director, real property development negotiators on behalf of the City for potential lease of city-owned property at the Wastewater Treatment Plant sit to GCL New Energy, Inc.** Vote called – AYES: All. Motion carried.

REGULAR CALENDAR

1) City Manager Jim Goodwin presented the staff report for discussion and consideration of Resolution No. 35-19 approving the Second Amendment to Jones Ranch Subdivision, Village 1 (now referred to as Caliterra Ranch Subdivision) Subdivision Improvement Agreement. In March 2018 the City Council approved a final map and Subdivision Improvement Agreement (SIA) for the first phase of the Caliterra subdivision. In October 2018, that SIA was amendment to substitute a lien instead of a bond for security. The original SIA included a deadline of 18 months from its approval to start construction, that date being September 27, 2019. The developer has informed the City that they have been unable to secure a home builder for the project and are therefore unable to begin construction by the deadline. The failure to start construction would put the project in default of the agreement. At that point the City could provide a notice of default and the developer would have 30 days to cure the default or the city could then exercise its rights under the lien currently providing security for this agreement. In order to avoid default, the developer has requested a two-year extension of the performance dates in the SIA. The intent of the extension is to allow time to re-work the infrastructure requirements for Village 1 to spread costs over more lots in the overall tentative map. The developer believes reducing the finished lot cost will make the project more attractive to a home builder. This approach is consistent with action item 1(c) in the 2019 Wheatland Community and Economic Development Action Program directing staff to “Continue to work with development interests to reduce or defer, when possible, up-front costs that may hinder their investment in Wheatland.” The approach is also consistent with ongoing discussions with the developers of the Heritage Oaks East subdivision. Staff has considered the request and is recommending the proposed extension of the SIA timelines. The City Engineer is still required to ensure the proposed public improvements meet city standards and fulfill the conditions of approval of the tentative map for the full subdivision.

Chris Walsh commented on the general geographic area of the project. City Engineer D. Schilling explained where the project is located. Walsh questioned if the project will address the second entrance to the Bishop Pumpkin Farm. City Attorney J. Buckman responded that explained that the project has been approved since 2014 whatever is already in the development agreement has already been approved. Walsh commented on the estimated date of project completion and how this will affect the second entrance during the Bishop Pumpkin Farm season. Walsh also commented on FEMA and flood related to the proposed project. D. Schilling responded that property located within the projected development area has been leased to the Bishop’s to grow pumpkins and that the property is not located in a flood plain.

Vice Mayor R. West questioned if the property is part of a CFD, Community Development Director responded no. West also questioned if scheduled improvements to the project will come back to City Council for discussion. D. Schilling responded the final map will be brought back to the City Council for discussion. Council Member L. McIntosh questioned if the second amendment is approved will council be agreeing to all previous conditions of the development agreement. D. Schilling responded.

Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. West to **approve Resolution No. 35-19 Approving the Second Amendment to Jones Ranch (Caliterra Ranch) Subdivision Village 1, Subdivision Improvement Agreement.** Vote called – AYES: All. Motion carried.

2) City Manager Jim Goodwin presented the staff report for discussion regarding formation of an Ad-hoc Pool Committee to work toward establishing a community pool in Wheatland.

Mr. David Creps, a long-time Wheatland resident, donated \$1 million dollars to the City of Wheatland for operation and maintenance costs of a future community pool in the City of Wheatland. That donation has been received by the city. Under the terms of the gift agreement, the City has seven years to put a pool into operation or return the gift. Staff is already preparing a grant application to the State Department of Parks and Recreation for per-capita funding from the Proposition 68 park bond. That proposal will come to the City Council for approval at the October 22 City Council meeting. Pending approval, one component of the application will be a pool feasibility analysis including identification of a preferred site, preliminary design, preliminary construction cost estimates and preliminary operation and maintenance costs. City Council leadership on this project is critical, and toward that end, staff is recommending the City Council appoint two members of the Council to serve on an Ad-hoc Pool Committee. Also, partners in this project will be key. Both the Wheatland School District and Wheatland Union High School District are potential partners, both as users of the future facility and collaborators in establishing the facility. Staff believes it prudent to invite two elected members from each school board to serve on the Ad-hoc Pool Committee. The new Ad-hoc Pool Committee would then be comprised of six members, two from the City Council, two from the Wheatland Elementary School Board and two from the Wheatland Union High School District Board. Once formed, the Ad-hoc Committee could then determine how to proceed in developing the project.

Pamela Shelton questioned if two Planning Commissioners should be appointed to serve on the Ad-hoc committee.

Pam Walsh questioned if members of the community could be appointed to serve on the Ad-hoc committee.

Mayor Joe Henderson stated adding community members to the Ad-hoc would be scheduled for discussion at a future council meeting.

Motion was made by Mayor J. Henderson, Seconded by Vice Mayor R. West to **appoint Council Members R. Coe and J. Pendergraph to serve on the Ad-hoc Pool Committee.** Vote called – AYES: All. Motion carried. Motion was made by Council Member J. Pendergraph, Seconded by Vice Mayor R. West to **direct the Mayor to send invitations to Wheatland Union High School District and the Wheatland School District to appoint two members of their respective elected boards to also serve on the new Ad-hoc Pool Committee.** Vote called – AYES: All. Motion carried.

REPORTS

None.

Mayor J. Henderson announced that City Council Members would be going in to closed session. P. Shelton and C. Walsh commented that she was not provided with an honest answer regarding how items are placed on City Council meeting agendas. J. Goodwin and J. Buckman provided the protocol for items on City Council meeting agendas.

Council Member L. McIntosh also addressed P. Shelton and C. Walsh's comments.

P. Walsh stated signs need to be addressed now.

CLOSED SESSION

No reportable action.

ADJOURN

There being no further business, Council Member J. Henderson adjourned the meeting at 7:45 p.m.

Minutes approved and adopted this 8th day of October 2019.

Joseph Henderson, *Mayor*

Lisa J. Thomason, *City Clerk*

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